

§ 52.330

nonattainment areas, the Greeley not classified carbon monoxide nonattainment area, and the Denver transitional ozone nonattainment area.

(b) On January 14, 1993 and on August 25, 1994, the Governor of Colorado submitted revisions to the State's nonattainment new source review permitting regulations to bring the State's regulations up to date with the 1990 Amendments to the Clean Air Act. With these revisions, the State's regulations satisfy the part D new source review permitting requirements for the Denver metropolitan moderate PM-10 nonattainment area.

[59 FR 64336, Dec. 14, 1994, as amended at 62 FR 2914, Jan. 21, 1997; 62 FR 68195, Dec. 31, 1997]

§ 52.330 Control strategy: Total suspended particulates.

(a) *Part D—Conditional Approval:* The Pueblo plan is approved assuming the State demonstrates by December 31, 1981, through air quality modeling, attainment of the 24-hour and annual standards, while considering emissions from all sources in the nonattainment area. In addition, the State must repromulgate Regulation No. 1 to satisfy reasonably available control technology requirements in accordance with the following schedule:

(1) The Commission will consider and adopt for public hearing any changes or additions to Regulation No. 1 by February 15, 1981.

(2) The proposed regulations will be published in the Colorado Register by March 10, 1981.

(3) Public hearing will be held by May 14, 1981.

(4) Regulations will be approved with an effective date no later than July 1, 1981, and submitted to EPA by the same date.

[46 FR 26302, May 12, 1981]

§ 52.331 Committal SIP for the Colorado Group II PM₁₀ areas.

On April 14, 1989, the Governor submitted a Committal SIP for the Colorado Group II PM₁₀ areas. The SIP commits the State to continue to monitor for PM₁₀, report data and to submit a full SIP if a violation of the PM₁₀

40 CFR Ch. I (7-1-01 Edition)

National Ambient Air Quality Standards is detected.

[54 FR 43178, Oct. 23, 1989]

§ 52.332 Moderate PM-10 nonattainment area plans.

(a) On April 9, 1992, the Governor of Colorado submitted the moderate PM-10 nonattainment area plan for the Canon City area. The submittal was made to satisfy those moderate PM-10 nonattainment area SIP requirements which were due for Canon City on November 15, 1991.

(b)(1) On February 24, 1992, and December 9, 1993, the Governor of Colorado submitted the moderate PM-10 nonattainment area plan for the Pagosa Springs area. The submittal was made to satisfy those moderate PM-10 nonattainment area SIP requirements which were due for Pagosa Springs on November 15, 1991.

(2) On August 2, 1996, the Governor of Colorado submitted minor revisions to the Pagosa Springs Element of the Colorado PM-10 SIP.

(c) On May 27, 1993, the Governor of Colorado submitted the moderate PM-10 nonattainment area plan for the Lamar area. The submittal was made to satisfy those moderate PM-10 nonattainment area SIP requirements which were due for Lamar on November 15, 1991.

(d) On December 9, 1993, the Governor of Colorado submitted PM₁₀ contingency measures for the moderate PM₁₀ nonattainment areas of Canon City, Lamar, and Pagosa Springs. The submittal was made to satisfy the moderate PM₁₀ nonattainment area requirements for contingency measures due for Canon City, Lamar, and Pagosa Springs on November 15, 1993.

(e)(1) On January 15, 1992, March 17, 1993, and December 9, 1993, the Governor of Colorado submitted the moderate PM-10 nonattainment area plan for the Aspen area. The submittals were made to satisfy those moderate PM-10 nonattainment area SIP requirements which were due for Aspen on November 15, 1991. The December 9, 1993 submittal was also made to satisfy the PM-10 contingency measure requirements which were due for Aspen on November 15, 1993.

Environmental Protection Agency

§ 52.343

(2) On March 13, 1995, the Governor of Colorado submitted minor revisions to the Aspen Element of the Colorado PM-10 SIP.

(f) On March 30, 1995, and November 17, 1995, the Governor of Colorado submitted the moderate PM₁₀ nonattainment area plan for the Denver area. The March 30, 1995 submittal was made to satisfy those moderate PM₁₀ nonattainment area SIP requirements due for the Denver PM₁₀ nonattainment area on November 15, 1991. The November 17, 1995 submittal was also made to satisfy the PM₁₀ contingency measure requirements which were due for Denver on November 15, 1993.

(g) On March 17, 1993, December 9, 1993, and April 22, 1996, the Governor of Colorado submitted the moderate PM₁₀ nonattainment area plan for Telluride. The submittals were made to satisfy those moderate PM₁₀ nonattainment area SIP requirements which were due for Telluride on November 15, 1991. The December 9, 1993 submittal was also made to satisfy the PM₁₀ contingency measure requirements which were due for Telluride on November 15, 1993.

(h) On September 16, 1997 the Governor of Colorado submitted the moderate PM₁₀ nonattainment area plan for Steamboat Springs. The submittal was made to satisfy those moderate PM₁₀ nonattainment area SIP requirements which were due for Steamboat Springs on July 20, 1995.

(i) On September 22, 1997, the State of Colorado submitted a maintenance plan for the Canon City PM₁₀ nonattainment area and requested that the area be redesignated to attainment for the PM₁₀ National Ambient Air Quality Standards. An April 24, 2000 letter from Margie Perkins, Director, Colorado Air Pollution Control Division, to Richard Long, Director, EPA Region VIII Air and Radiation Program, was sent to clarify the requirements of the contingency plan section of the Canon City maintenance plan. The redesignation request and maintenance plan sat-

isfy all applicable requirements of the Clean Air Act.

[58 FR 68038, Dec. 23, 1993, as amended at 59 FR 26128, May 19, 1994; 59 FR 29734, June 9, 1994; 59 FR 47095, Sept. 14, 1994; 59 FR 64336, Dec. 14, 1994; 62 FR 18723, Apr. 17, 1997; 62 FR 66008, Dec. 17, 1997; 62 FR 68195, Dec. 31, 1997; 65 FR 34404, May 30, 2000]

EFFECTIVE DATE NOTE: At 66 FR 32562, June 15, 2001, § 52.332 was amended by adding paragraph (j), effective Aug. 14, 2001. For the convenience of the user the added text follows:

§ 52.332 Moderate PM-10 nonattainment area plans.

* * * * *

(j) On May 10, 2000, the State of Colorado submitted maintenance plans for the Telluride and Pagosa Springs PM₁₀ nonattainment areas and requested that these areas be redesignated to attainment for the PM₁₀ National Ambient Air Quality Standards. The redesignation requests and maintenance plans satisfy all applicable requirements of the Clean Air Act.

§§ 52.333-52.342 [Reserved]

§ 52.343 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met for the following categories of sources for preventing the significant deterioration of air quality:

(1) Sources locating on Indian lands.

(2) Sources locating on Indian Reservations.

(3) Sources which constructed prior to September 2, 1986 and which have not otherwise subjected themselves to Colorado's PSD permitting regulations after September 2, 1986, either through application to Colorado for a PSD permit (in the case of those sources which improperly constructed without obtaining a PSD permit) or through application to Colorado for a major modification to the source.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21 (b) through (w) are hereby incorporated and made a part of the applicable state plan for the